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UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

WILLIAM I. KOCH, an individual,

Plaintiff,

VS.

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ERIC GREENBERG, an individual; ZACIIYS WINE & LIQUOR STORE, INC., a New York corporation; and ZACHYS WINE AUCTIONS, INC., a New York corporation.

Defendants.

07 Civ. 9600 (BSJ) (DCF) ECF Case

STIPULATION AND ORDER EXTENDING TIME FOR OPPOSITIONS AND REPLIES REGARDING DEFENDANTS' RESPECTIVE MOTIONS TO DISMISS COMPLAINT

WHEREAS on October 26, 2007, William I. Koch ("Koch") filed a complaint in this Court against Zachys Wine & Liquor Store, Inc. and Zachys Wine Auctions, Inc. (collectively, "Zachys") and Eric Greenberg ("Greenberg") (the "Complaint").

WHEREAS on December 19, 2007, Zachys and Greenberg, respectively, filed in this Court separate Motions to Dismiss the Complaint (collectively, the "Motions to Dismiss").

WHEREAS Koch's Oppositions to the Motions to Dismiss are currently due on January 7, 2008 and Zachys' and Greenberg's respective Replies in support of the Motions to Dismiss are currently due on January 14, 2008 and Koch, Zachys and Greenberg have agreed to extend the time to file the Oppositions and Replies.

NOW, THEREFORE, the parties through their undersigned counsel, hereby stipulate and agree and request the Court to enter the following Order:

- The time for Koch to file Oppositions to the Motions to Dismiss is hereby extended to and including January 22, 2008.
- The time for Zachys and Greenberg to file Replies in support of the Motions to Dismiss is hereby extended to and including February 15, 2008.

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Dated: Los Angeles, California January 3, 2008

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~and-

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Attorneys for William I. Koch

SO ORDERED on this 2 day of ______, 2008.

Hon. Barbara S. Jones United States District Judge Dated: New York, New York January <u>3</u>, 2008

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Attorneys for Zachys Wine & Liquor Store, Inc. & Zachys Wine Auctions, Inc.

Dated: New York, New York January <u>3</u>, 2008

DLA PIPER

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Attorneys for Eric Greenberg